

Act. This commonsense bill would combat the BDS movement by supporting State and local governments that choose not to contract with companies that discriminate against Israel.

It already passed the Senate with strong bipartisan support. Sadly, Speaker PELOSI refuses to allow a vote.

I am a proud cosponsor of H.R. 336. This week, I signed a discharge petition to ensure it gets a vote on the House floor.

Madam Speaker, Republicans and Democrats must send a strong signal against anti-Semitism and the anti-Israel BDS movement. We need a vote on H.R. 336.

□ 0915

LET AMERICANS BE FREE TO BE THEMSELVES

(Mr. EVANS asked and was given permission to address the House for 1 minute.)

Mr. EVANS. Madam Speaker, the new House Democratic majority has passed several important bills, including bills to protect Americans' healthcare. One of those important bills coming up is the Equality Act.

First as a State legislator and now as a Member of Congress, I have supported the equal rights for LGBTQ people for over 20-plus years.

Today, in much of America, LGBTQ people can get married on Sunday and fired on Monday. Our fellow Americans should not have to fear losing a job or an apartment simply because of who they are.

I am proud that this House will pass the Equality Act today. I urge the Senate to join us in passing this bill. Let fellow Americans be free to be themselves, free from discrimination; and from sea to shining sea, let freedom ring.

COMMENDING THE FEDERAL RAILROAD ADMINISTRATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, I rise to commend the Federal Railroad Administration and the Trump administration for putting a stop to the wasteful Federal spending on California's high-speed rail boondoggle. This will save nearly \$1 billion that can be used for anything else to help Americans' transportation system.

At a time when tax increases on every mile you drive are being contemplated ostensibly for our highway needs, how can we keep wasting dollars on a project that "has repeatedly failed to comply with the terms of the 2010 agreement and has failed to make reasonable progress"?

It is no longer even a high-speed train project nor does it even connect San Francisco to L.A. but, instead, terminates in an almond orchard somewhere north of Bakersfield.

It has tripled in price since 2008, when put in front of the California voters, and is still at least \$70 billion short of the \$100 billion tripled price or more. That \$70 billion will not be coming from this Congress.

Let's channel these hard-earned tax dollars into highways people need, want, and can actually use, or water storage, or just about anything else.

EQUALITY ACT

Mr. NADLER. Madam Speaker, pursuant to House Resolution 377, I call up the bill (H.R. 5) to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. CRAIG). Pursuant to House Resolution 377, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Equality Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Discrimination can occur on the basis of the sex, sexual orientation, gender identity, or pregnancy, childbirth, or a related medical condition of an individual, as well as because of sex-based stereotypes. Each of these factors alone can serve as the basis for discrimination, and each is a form of sex discrimination.

(2) A single instance of discrimination may have more than one basis. For example, discrimination against a married same-sex couple could be based on the sex stereotype that marriage should only be between heterosexual couples, the sexual orientation of the two individuals in the couple, or both. Discrimination against a pregnant lesbian could be based on her sex, her sexual orientation, her pregnancy, or on the basis of multiple factors.

(3) Lesbian, gay, bisexual, transgender, and queer (referred to as "LGBTQ") people commonly experience discrimination in securing access to public accommodations—including restaurants, senior centers, stores, places of or establishments that provide entertainment, health care facilities, shelters, government offices, youth service providers including adoption and foster care providers, and transportation. Forms of discrimination include the exclusion and denial of entry, unequal or unfair treatment, harassment, and violence. This discrimination prevents the full participation of LGBTQ people in society and disrupts the free flow of commerce.

(4) Women also have faced discrimination in many establishments such as stores and restaurants, and places or establishments that provide other goods or services, such as entertainment or transportation, including sexual harassment, differential pricing for substantially similar products and services, and denial of services because they are pregnant or breastfeeding.

(5) Many employers already and continue to take proactive steps, beyond those required by some States and localities, to ensure they are fostering positive and respectful cultures for all employees. Many places of public accommoda-

tion also recognize the economic imperative to offer goods and services to as many consumers as possible.

(6) Regular and ongoing discrimination against LGBTQ people, as well as women, in accessing public accommodations contributes to negative social and economic outcomes, and in the case of public accommodations operated by State and local governments, abridges individuals' constitutional rights.

(7) The discredited practice known as "conversion therapy" is a form of discrimination that harms LGBTQ people by undermining individuals sense of self worth, increasing suicide ideation and substance abuse, exacerbating family conflict, and contributing to second class status.

(8) Both LGBTQ people and women face widespread discrimination in employment and various services, including by entities that receive Federal financial assistance. Such discrimination—

(A) is particularly troubling and inappropriate for programs and services funded wholly or in part by the Federal Government;

(B) undermines national progress toward equal treatment regardless of sex, sexual orientation, or gender identity; and

(C) is inconsistent with the constitutional principle of equal protection under the Fourteenth Amendment to the Constitution of the United States.

(9) Federal courts have widely recognized that, in enacting the Civil Rights Act of 1964, Congress validly invoked its powers under the Fourteenth Amendment to provide a full range of remedies in response to persistent, widespread, and pervasive discrimination by both private and government actors.

(10) Discrimination by State and local governments on the basis of sexual orientation or gender identity in employment, housing, and public accommodations, and in programs and activities receiving Federal financial assistance, violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. In many circumstances, such discrimination also violates other constitutional rights such as those of liberty and privacy under the due process clause of the Fourteenth Amendment.

(11) Individuals who are LGBTQ, or are perceived to be LGBTQ, have been subjected to a history and pattern of persistent, widespread, and pervasive discrimination on the bases of sexual orientation and gender identity by both private sector and Federal, State, and local government actors, including in employment, housing, and public accommodations, and in programs and activities receiving Federal financial assistance. An explicit and comprehensive national solution is needed to address such discrimination, which has sometimes resulted in violence or death, including the full range of remedies available under the Civil Rights Act of 1964.

(12) Numerous provisions of Federal law expressly prohibit discrimination on the basis of sex, and Federal agencies and courts have correctly interpreted these prohibitions on sex discrimination to include discrimination based on sexual orientation, gender identity, and sex stereotypes. In particular, the Equal Employment Opportunity Commission correctly interpreted title VII of the Civil Rights Act of 1964 in *Macy v. Holder*, *Baldwin v. Fox*, and *Lusardi v. McHugh*.

(13) The absence of explicit prohibitions of discrimination on the basis of sexual orientation and gender identity under Federal statutory law has created uncertainty for employers and other entities covered by Federal nondiscrimination laws and caused unnecessary hardships for LGBTQ individuals.

(14) LGBTQ people often face discrimination when seeking to rent or purchase housing, as well as in every other aspect of obtaining and maintaining housing. LGBTQ people in same-